

REMARKS

Claims 1, 3, 9-12, 16, 20-24 and 26-28 have been examined and rejected. By this Amendment, claims 3, 9-10, 21-24 and 27 are cancelled. Accordingly, claims 1, 11-12, 16, 20, 26 and 28 are all the claims pending in the application.

For at least the following reasons, Applicant respectfully traverses the Examiner's rejections of claims 1, 11-12, 16, 20, 26 and 28.

AMENDMENTS TO THE CLAIMS

Claims 1, 12, 16 and 20 have been amended as shown above.

By this Amendment claims 3, 9-10, 21-24 and 27 are cancelled.

REJECTIONS UNDER 35 U.S.C. § 102(e)

The Examiner has rejected claims 1, 11-12, 16 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,430,496 to Smith et al. ("Smith"). For at least the following reasons, Applicant respectfully traverses the Examiner's rejections of these claims.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. (MPEP 2131, citing *Verdegaal Bros. v. Union Oil Co.*, 814 F.2d 628, 631 (Fed. Cir. 1987)). Applicant respectfully submits that the Smith reference fails to teach or suggest, either inherently or expressly, each element of the rejected claims. Accordingly, the Examiner's rejection must fail.

Claim 1 recites a transportation system including mandatory terminals, the mandatory terminals having a" transmission means for periodically transmitting the current location information of said mandatory terminals to the order receiving server through the line." The mandatory terminals also include "control means for enabling said transmission means to

transmit said current location information only in a desired period.” While Smith’s AVL (automatic vehicle locator) system 12 sends and receives a vehicle’s location information (col. 1, lines 50-54), Smith contains no express or inherent teaching or suggestion of such sending and receiving of a vehicle’s location information only during a desired time period. Thus, Applicant respectfully submits that Smith fails to teach at least the control means recited in claim 1. Accordingly, the Examiner’s rejection must fail.

As claim 11 depends from claim 1, Applicant respectfully submits that claim 11 is patentable over Smith at least based on this dependency.

Further, independent claim 16 recites an order receiving server for receiving an order for transportation of an object to be transported including, *inter alia*, a “means for receiving current location information of one’s own from each mandatory terminal of a plurality of transportation vehicles through the line to specify the current location information of each of said plurality of transportation vehicles … wherein at least one of said plurality of transportation vehicles is a vehicle mainly for carrying a customer from a boarding place to an alighting place.” As Smith fails to teach or suggest an order receiving server as recited in claim 1, in particular, one used in vehicle mainly for carrying a customer from a boarding place to an alighting place, Applicant respectfully submits that Smith fails to teach or suggest each element of claim 16.

Independent claim 12 recites a “mandatory terminal of a transportation vehicle for transporting an object to be transported from a business connection to a delivery destination … wherein at least one of said plurality of transportation vehicles is a vehicle mainly for carrying a customer from a boarding place to an alighting place. As Smith fails to teach or suggest a mandatory terminal as recited in claim 12, in particular, one used in a vehicle mainly for carrying

a customer from a boarding place to an alighting place, Applicant respectfully submits that Smith fails to teach or suggest each element of claim 12.

REJECTIONS UNDER 35 U.S.C. § 103(a)

The Examiner has rejected claims 20-24, 26 and 28 under 35 U.S.C. § 103(a) as being unpatentable over Smith in view of U.S. Patent No. 6,323,782 to Stephens (“Stephens”).

Claim 20 recites a transportation method the step of “transmitting current location information from each mandatory terminal of a plurality of transportation vehicles for directly transporting an object to be transported from a business connection to a delivery destination to an order receiving server through a line only in a desired period. Further, claim 20 recites a method “wherein at least one of said plurality of transportation vehicles is a vehicle mainly for carrying a customer from a boarding place to an alighting place.” As neither Smith nor Stephens, whether taken alone or in combination, teaches or suggest a transportation method as recited in claim 20, in particular, one for use in a vehicle mainly for carrying a customer from a boarding place to an alighting place, Applicant respectfully submits that the combination of Smith in view of Stephens fails to teach or suggest each element of claim 20.

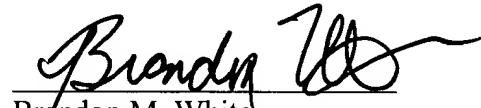
As claims 26 and 28 depend from independent claim 20, Applicant respectfully submits that claim 26 and 28 are patentable over the combination of Smith and Stephens at least based on this dependency.

CONCLUSION

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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